

Jeremy D. Frey
William Gibson
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
(215) 981-4445
freyj@pepperlaw.com
Attorneys for Defendant Tom Varghese

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

IN TOUCH CONCEPTS, INC., d/b/a ZCOM,

Plaintiff,
-against-

(1) CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS, (2) TOM
VERGHESE, (3) RYAN BROOMES,
(4) JORGE VELEZ, (5) ANTHONY
FIOCCO, (6) BRUNO PAVLICEK, (7)
AJAY BHUMITRA; (8) SHELLY
BHUMITRA, (9) POONAM SAWNHEY;
and, (10) JOHN/JANE DOE CELLCO
PARTNERSHIP d/b/a VERIZON
WIRELESS PERSONNEL ## 1-10, so
named as their identities have yet to be
established,

Defendants.

FILED ELECTRONICALLY

**DOCKET NO.
12-CV-00542 (PGS) (TJB)**

NOTICE OF MOTION

TO: Ravi Batra, Esq.
Michael W. Kennedy, Esq.
The Law Firm Of Ravi Batra, P.C.
142 Lexington Avenue
New York, NY 10016

PLEASE TAKE NOTICE that on September 4, 2012, or as soon thereafter as counsel may be heard, Defendant Tom Varghese, through his undersigned counsel, shall move before the United States District Court for the District of New Jersey for an Order dismissing the Plaintiff's First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) or, in the alternative, striking certain portions of the First Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(f).

PLEASE TAKE FURTHER NOTICE that in support of this Motion, the Defendant shall rely upon the enclosed Brief.

PLEASE TAKE FURTHER NOTICE that oral argument is hereby requested in the event that this Motion is opposed.

A proposed form of Order is submitted for the Court's convenience.

/s/ William Gibson
Jeremy D. Frey
William Gibson
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
(215) 981-4445
freyj@pepperlaw.com
Attorneys for Defendant Thomas Varghese

Dated: June 22, 2012